

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

COLIN CUSTARD; FREDERICK VOGT;
and ELLA NORMAN, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

THE WEEK PUBLICATIONS, INC.,

Defendant.

Case No. 1:22-cv-10666

Honorable Thomas L. Ludington

Mag. Judge Patricia T. Morris

STIPULATED ORDER TO STAY CASE PENDING MEDIATION

Plaintiffs Colin Custard, Frederick Vogt, and Ella Norman (collectively, “Plaintiffs”) and Defendant The Week Publications, Inc. (“The Week,” together with Plaintiffs, the “Parties”) state as follows:

WHEREAS, on March 28, 2022, Plaintiff Colin Custard filed a Class Action Complaint (ECF No. 1);

WHEREAS, on June 10, 2022, Defendant executed a Waiver of Service pursuant to Fed. R. Civ. P. 4, which set its deadline to answer or otherwise respond to the Complaint to August 9, 2022 (ECF No. 9);

WHEREAS, on August 5, 2022, Plaintiffs filed the operative First Amended Class Action Complaint (“FAC”) (ECF No. 11);

WHEREAS, pursuant to the August 8, 2022 Stipulated Order, Defendant’s deadline to answer or otherwise respond to the FAC is September 2, 2022 (ECF No. 12);

WHEREAS, counsel for the Parties have engaged in preliminary settlement discussions and have agreed to submit this matter to private mediation;

WHEREAS, the Parties believe that judicial economy and the interests of the Parties would be served by a stay of this action while the Parties conduct their private mediation;

WHEREAS, no later than 60 days from the date of this Order, the Parties shall file a joint status report to update the Court on the status of their settlement negotiations, including whether a date should be set for Defendant to answer or otherwise respond to the FAC.

Accordingly, it is **ORDERED** that:

1. The above-captioned case is **STAYED** for all purposes so that the Parties may attempt to resolve this action through private mediation; and

2. No later than 60 days from the date of this Order, the Parties must **FILE** a joint status report to update this Court on the status of their settlement negotiations, including whether a date should be set for Defendant to answer or otherwise to respond to the FAC.

Dated: September 1, 2022

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

STIPULATED AND AGREED:

/s/ E. Powell Miller

THE MILLER LAW FIRM, P.C.
E. Powell Miller (P39487)
Sharon S. Almonrode (P33938)
950 W. University Drive, Suite 300
Rochester, MI 48307
(248) 841-2200
epm@millerlawpc.com
ssa@millerlawpc.com

BURSOR & FISHER, P.A.

Joseph I. Marchese
Philip L. Fraietta (P85228)
888 Seventh Avenue
New York, New York 10019
(646) 837-7150
jmarchese@bursor.com
pfraietta@bursor.com

HEDIN HALL LLP

Frank S. Hedin
Arun G. Ravindran
1395 Brickell Ave, Suite 1140
Miami, FL 33131
(305) 357-2107
fhedin@hedinhall.com
aravindran@hedinhall.com

Attorneys for Plaintiffs

/s/ Walter E. Diercks

COLLINS EINHORN FARRELL PC
David C. Andersen (P55258)
4000 Town Center, 9th Floor
Southfield, MI 48075
(248) 355-4141
David.Anderson@ceflawyers.com

RUBIN, WINSTON, DIERCKS, HARRIS &
COOKE, LLP

Walter E. Diercks
1250 Connecticut Avenue, NW, Suite 700
Washington, DC 20036
(202) 861-0870
wdiercks@rwdhc.com

Attorneys for Defendant

Dated: August 31, 2022